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Attorneys for Defendants  
THE HEARST CORPORATION and HEARST  
COMMUNICATIONS, INC. dba HEARST  
NEWSPAPERS

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARSHA GINSBURG,  
Plaintiff,

v.

HEARST COMMUNICATIONS, INC.;  
HEARST CORPORATION; HEARST  
NEWSPAPERS,  
Defendants.

Case No. CV-08-3031 JSW

**DEFENDANTS' NOTICE OF UNOPPOSED  
MOTION TO DISMISS**

Hearing Date October 3, 2008  
Time: 9:00 a.m.  
Judge: Hon. Jeffrey S. White  
Courtroom: 2

Complaint Filed: June 20, 2008

1 TO THE COURT AND ALL ATTORNEYS OF RECORD:

2 Defendants filed their moving papers related to this Motion on August 15, 2008.  
3 Plaintiff's Opposition was due on August 29, 2008 and Defendants' Reply is due today, September 5,  
4 2008. Please take notice that, to date, no Opposition has been received by Defendants or filed on the  
5 Court's PACER database. Accordingly, Defendants will not be filing a Reply brief. As detailed in  
6 Defendants' moving papers, Plaintiff's Complaint is severely defective and must be altered so that  
7 Defendants can prepare a response. The Court should, therefore, dismiss Plaintiff's Complaint with  
8 leave to amend pursuant to Rule 41(b), or in the alternative, order Plaintiff to file a more definite  
9 statement, pursuant to Rule 12(e).

10 Respectfully submitted,

11 Date: September 5, 2008

LITTLER MENDELSON

12 By: /s/ Lindbergh Porter, Jr.

13 LINDBERGH PORTER  
14 NEVILLE F. FERNANDES

15 Attorneys for Defendants  
16 HEARST CORPORATION AND HEARST  
17 COMMUNICATIONS, INC. dba HEARST  
18 NEWSPAPERS

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